

AMENDED IN SENATE APRIL 1, 2002

SENATE BILL

No. 1826

Introduced by Senator Morrow

February 22, 2002

An act to add Section 6382 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1826, as amended, Morrow. Sales and use tax: exemptions: emergency equipment.

The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law provides various exemptions from that tax.

This bill would exempt from those taxes the gross receipts from sales or purchases of specified emergency equipment purchased by a local emergency service provider, as defined.

Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy, but its operative date would depend on its effective date.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6382 is added to the Revenue and
2 Taxation Code, to read:
3 6382. (a) There are exempted from the taxes imposed by this
4 part, the gross receipts from the sale in this state of, and the storage,
5 use, or other consumption in this state of, emergency equipment
6 purchased by a local emergency service provider.
7 (b) For purposes of this section:
8 (1) “Emergency equipment” ~~includes~~ includes:
9 (A) *Authorized emergency vehicles as defined in Section 165 of*
10 *the Vehicle Code.*
11 (B) *Equipment and supplies used by a local emergency service*
12 *provider in response to emergency conditions and for the*
13 *protection of the public’s health, safety, and welfare.*
14 (2) “Local emergency service provider” ~~means~~ means:
15 (A) *A fire department maintained by a city or town, a fire*
16 *company in an unincorporated town organized pursuant to Section*
17 *14825 of the Health and Safety Code, or a fire protection district*
18 *formed pursuant to the Fire Protection District Law of 1987, Part*
19 *3 (commencing with Section 13800) of Division 12 of the Health*
20 *and Safety Code.*
21 (B) *A police department or sheriff’s department maintained by*
22 *a city, county, or city and county.*
23 SEC. 2. Notwithstanding Section 2230 of the Revenue and
24 Taxation Code, no appropriation is made by this act and the state
25 shall not reimburse any local agency for any sales and use tax
26 revenues lost by it under this act.
27 SEC. 3. This act provides for a tax levy within the meaning of
28 Article IV of the Constitution and shall go into immediate effect.
29 However, the provisions of this act shall become operative on the
30 first day of the first calendar quarter commencing more than 90
31 days after the effective date of this act.

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